

Bill Analysis

California Commission on Teacher Credentialing

Bill Number:	SB 1250
Author:	Senator Vincent
Sponsor:	United Teachers, Los Angeles
Subject of Bill:	State basic skill proficiency test
Date Introduced:	January 8, 2002
Date Amended:	April 3, 2002
Status in Leg. Process:	Assembly Committee of Education (hearing not set)
Current CCTC Position:	None
Recommended Position:	Oppose Unless Amended
Date of Analysis:	April 29, 2002
Analyst:	Dan Gonzales

Summary of Current Law

The California Basic Education Skills Test (CBEST) was developed to meet legal requirements related to credentialing and employment. The law specifies that candidates must demonstrate proficiency in basic reading, writing, and mathematics skills by passing CBEST.

Condition of Employment. The law requires school districts to only hire certificated staff who have demonstrated basic skills proficiency in reading, writing, and mathematics, unless the person is exempt.

Thus, anyone who earned their credential after February 1, 1983 must pass CBEST as a condition of employment to serve in a California public school. Those who received their teaching credential before 1983 were exempt as long as they remained employed by a school district in the capacity of the credential. When a teacher is no longer employed by a school district for 39 months or longer they must pass CBEST as a condition of re-employment.

Further, the law allows a school board, with the authorization of the Commission, to administer a basic skills proficiency test and to employ, on a temporary basis, someone who:

- Holds a valid California teaching credential,
- Has not taken the state basic skills test, and
- Has not been employed as a teacher for 39 months, but who has passed a basic skills proficiency examination which has been developed and administered by the school district offering that person employment. As a condition for "temporary" employment, the individual must take the CBEST within one year of their employment.

Condition of Application for Credential, Certificate, Permit, or Entry into Teacher Preparation Program. The law requires applicants for a credential, certificate, or permit to serve in California's public schools must pass the CBEST before the credential, certificate, or permit will be issued. CBEST must be taken for diagnostic purposes before the final deadline for application for admission to a teacher preparation program.

Exemptions. Applicants are exempt from the CBEST requirement, if they are applying for one of the following credentials, certificates, or permits:

- Renewal, reissuance, or upgrading of existing non-emergency credentials, certificates, or permits unless it is specifically indicated as a renewal requirement on the document.
- Credentials issued solely for teaching adults in apprenticeship programs.
- Those Designated Subjects Credentials for which a bachelor's degree is not required.
- Certificates of Clearance (required for student teaching).
- Any added authorization to teach. This exemption does not apply to those holding a credential to teach that did not require a baccalaureate degree and the teaching authorization sought requires the degree.
- Children's Center Instruction Permits, Child Development Permits, and Special Center Permits.
- Health Services Credentials, unless the document also authorizes teaching.
- Deaf and Hard-of-Hearing, Education Specialist Instruction Credential or School Counseling Services Credential, for a prelingually deaf individual. Credentials issued under this option may only serve in state special schools or in classes for students who are deaf or hearing impaired. Prelingually deaf

individuals who choose this option must complete a job-related assessment in lieu of CBEST.

Finally, individuals must only pass the CBEST once. CBEST passing scores remain valid indefinitely for all credential and employment purposes.

Summary of Current Activity by the Commission

The Commission works with National Evaluation Systems to carry out validity studies, determine content, and administer CBEST.

Analysis of Bill Provisions

This bill, for purposes of employment by a school district, adds retired teachers who meet specified requirements to the list of those who are exempt from passing CBEST.

Retired teachers would have to meet all of the following requirements:

- Taught 15 years or more in a California public school.
- Employed at least 5 of those 15 years in the same school district that desires to re-employ that person or concurrently enrolls in a teacher refresher course that meets all of the following requirements:
 - The course is developed and administered by the employing school district.
 - The course is aligned with the California Standards for the Teaching Profession.
 - The course is approved by the Commission on Teacher Credentialing.
- Employed as a classroom teacher or administrator within the last 10 years.

Comments.

Course should align with Academic Content Standards, not CTSP. The teacher refresher course should be aligned with K-12 academic content standards and not the California Standards for the Teaching Profession (CSTP). The CSTP sets forth standards for professional teaching practice in California. The pedagogical standards were developed to facilitate the induction of beginning teachers and to guide teachers as they define and develop their practice. Passage of CBEST demonstrates proficiency in basic reading, writing, and mathematics skills, in English. So, the teacher refresher course required in this bill should align with the K-12 academic content standards and not the CTSP.

Department of Education should approve the course, not the Commission. Generally, the Commission administers programs related to initial licensure, such as the paraprofessional, pre-intern and intern program. The State Department of Education administers post-certification professional development programs. Since the new teacher refresher course that would be

required by this bill is post-certification, the State Department of Education should approve the course.

Fiscal Analysis

This bill could have a significant fiscal impact on the Commission and school districts. Commission staff estimates this measure would cost approximately \$52,000 a year for Commission staff to approve the district's teacher refresher course. The Commission estimates 100 districts may develop and administer the teacher refresher course at a cost of \$25,000 per district for a total cost of \$2.5 million annually.

Analysis of Relevant Legislative Policies by the Commission

The following Legislative policy applies to this measure:

- 1. The Commission supports legislation which proposes to maintain or establish high standards for the preparation of public school teachers and other educators in California, and opposes legislation that would lower standards for teachers and other educators.**
- 4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates, and opposes legislation which would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.**
- 5. The Commission supports legislation which strengthens or reaffirms initiatives and reforms which it previously has adopted, and opposes legislation which would undermine initiatives or reforms which it previously has adopted.**

Organizational Positions on the Bill

Support

United Teachers Los Angeles (sponsor)
Small School District Association

Oppose

Capitol Resource Institute

Suggested Amendments

The Commission proposes that the teacher refresher course required under this bill align with the K-12 academic content standards and not the CTSP and that the state Department of Education approve the course and not the Commission.

Reason for Suggested Position

OPPOSE UNLESS AMENDED – Commission staff recommends the Commission oppose this bill unless it is amended to require the teacher refresher course align with the academic content standards and is approved by the Department of Education.

**SUGGESTED AMENDMENTS
SB 1250 (VINCENT)
AS AMENDED APRIL 3, 2002**

1. Amend page 2, line 36 (Education Code 44830 (c)(1) to read:

(c) (1) A certificated person shall not be required to take the state basic skills proficiency test if he or she has been employed in a position requiring certification in any school district within 39 months prior to employment with the district or if he or she is a retired certificated employee who has taught 15 years or more in any school district. A meets all of the following requirements:

(A) Has taught 15 years or more in a California public school.

(B) Has been employed at least five of those 15 years in the same school district that desires to re-employ that person or concurrently enrolls in a teacher refresher course that meets all of the following requirements:

(i) The course is developed and administered by the employing school district.

(ii) The course is aligned with the ~~California Standards for the Teaching—~~
~~Profession~~ **K-12 academic content standards.**

(iii) The course is approved by the ~~Commission on Teacher Credentialing—~~
Department of Education.

(C) Has been employed as a classroom teacher or administrator within the last 10 years.

Bill Analysis

California Commission on Teacher Credentialing

Bill Number:	Senate Bill 1547
Author:	Senator Nell Soto
Sponsor:	California Association of Bi-lingual Educators (CABE)
Subject of Bill:	English language learners
Date Introduced:	February 20, 2002
Date Amended:	April 17, 2002
Status in Leg. Process:	Senate Committee on Education (scheduled for hearing on May 1, 2002)
Current CCTC Position:	Oppose unless amended
Recommended Position:	Oppose
Date of Analysis:	April 29, 2002
Analyst:	Anne L. Padilla

Summary of Current Law

Existing law specifies requirements to qualify for a Professional Clear Multiple or Single Subject Teaching Credential. The requirements for this credential include completion of a teacher preparation program, California Basic Educational Skills Test (CBEST), Reading Instruction Competence Assessment (for a multiple subject credential), teaching of reading, subject matter competence and a program of a beginning teacher induction. Existing law (AB 1059 Ducheny, 1999) also requires that all basic teacher preparation programs satisfy standards for the preparation of teachers for all students, including English learners.

Summary of Current Activity by the Commission

In 1994, the Commission adopted content specifications and program standards for the Cross-cultural, Language and Academic Development (CLAD) and Bilingual Cross-cultural, Language and Academic Development (BCLAD) emphasis credential. This credential authorizes the holder to teach English learners in mainstream and specialized classroom settings.

In 1998, pursuant to SB 2042 (Alpert/Mazzoni) the Commission launched a series of reforms in teacher credentialing that resulted in the development of new standards for subject matter preparation, professional preparation, and induction into teaching. The new standards and requirements for earning a multiple or single subject teaching credential were based on both a job analysis and a validity study, in which two separate independent contractors surveyed teachers, school administrators and teacher educators about the knowledge and abilities needed in teaching. The validity study supported the current CLAD specifications for teaching English language development (ELD) and specially designed academic content in English or SDAIE, and for using culturally responsive approaches in the classroom to improve student achievement and were incorporated into the new SB 2042 standards.

The Commission approved new Teacher Preparation and Subject Matter Standards at its September 2001 meeting. The new standards include, pursuant to AB 1059 (Ducheny, 1999) and based on the findings of the job analysis and validity study, preparation to teach English learners that is equivalent to the requirements of CLAD. The new standards require sponsors of preparation programs to prepare teachers to teach English learners and all other learners the academic content and performance standards for students adopted by the State Board of Education. The standards are responsive to other laws and policies that have been enacted since the development of CLAD that changed the way services are delivered to English learners in public schools.

Address Breadth and Depth Requirements. The breadth and depth called for in the CLAD requirements are distributed across the following three sets of standards:

- Standards of Program Quality and Effectiveness for the Subject Matter Requirement for the Multiple Subjects Teaching Credential;
- Standards of Quality and Effectiveness for Professional Teacher Preparation Programs; and
- Standards of Quality and Effectiveness for Professional Teacher Induction Programs.

As a result, future teachers learn the foundations needed for teaching English learners in their undergraduate coursework (e.g., linguistics), and build on these foundations during professional preparation while learning specific methods in English language development (ELD), specially designed academic instruction in English, and culturally inclusive approaches in the classroom. Finally, during their induction program, new teachers practice, refine, and further develop their knowledge and skill in teaching English learners.

In this new system, teachers of English learners obtain the knowledge and skill needed to teach California's diverse student population as part of their basic preparation for a teaching credential instead of as an "add-on" to the basic credential, which mirrors the process teachers go through as they learn to teach reading. Preparation to teach English learners is distributed across three years which includes preparation and early entry into the profession. The bulk of this preparation occurs before a candidate earns their first teaching credential.

Align with Academic Content Standards and Other State Policies. In the newly adopted standards, the knowledge and skills embodied in the CLAD domains have been updated to reflect current knowledge and policy related to teaching English learners. This includes alignment with the teaching of reading as set out in the English Language Arts Standards and Reading Language Arts Framework for K-12 schools, the English Language Development Standards, and the California English Language Development Test (CELDT).

Language Requirement. The CLAD Emphasis Credential currently calls for six semester units of a foreign language or equivalent. There are now more than 20 definitions of equivalency in regulations, and candidates may complete this requirement up to one year after completing other credential requirements. This does not provide the background knowledge and understanding about the cognitive learning challenges in language acquisition that was originally intended. The foreign language requirement is more effectively met through admission and graduation requirements for the Bachelor's Degree. Currently both the University of California and California State University require foreign language for admission.

Analysis of Bill Provisions

As introduced, this measure stated the Legislature's intent that in implementing AB 1059 the Commission supplement, not replace, the more specialized services offered by individuals who obtain a certificate to instruct limited-English-proficient pupils pursuant to the CLAD law.

Recent amendments to the bill strike this intent language and would instead require that:

- All multiple and single subject programs provide individual courses that meet the requirements of the foreign language and human relations elements of the current CLAD certificate as specified in Education Code Sections 44353.3(3)(b) and 44253.3(3)(c);
- The requirements of this new section of code not diminish the time or length of coursework required for a CLAD certificate;
- The Commission continue to issue CLAD certificates as an integrated option to the basic teaching credential;
- All multiple or single subject teaching credential programs resubmit their compliance plans pursuant to AB 1059 and SB 2042 with modifications that conform with SB 1547;
- Onsite evaluation teams established by the Commission for the purpose of evaluating plans submitted pursuant to AB 1059 and SB 2042 to evaluate the plans for compliance with provisions of SB 1547; and
- Members of all ongoing onsite evaluation teams include, at a minimum, all of the following:
 1. one person with recognized experience in scholarly research and instruction of English language learners;
 2. one person that has direct teaching experience with English language learners;

3. one person that has experience in administering an English language learner program.

Comments

- By requiring that teacher preparation programs offer separate courses in foreign language and human relations the bill imposes new costs on programs and new requirements on candidates. Currently, “coursework” in these areas is required, taken from any accredited program, at any time in a candidate’s preparation. The bill would require that this work be done as a separate course during the preparation program. Many preparation programs are not currently structured to offer these courses. Most candidates currently fulfilling these requirements as prerequisites would be forced to squeeze these units into an already overscribed one-year program.
- The Commission has already begun the program review process required under AB 1059. If a second review is mandated pursuant to this bill, programs will not be able to be approved in time to meet the 2003 statutory deadline mandated by AB 1059.
- Requiring programs to restructure and resubmit their programs will result in costs to the 84 institutions with preparation programs and to the Commission.
- Currently, the onsite evaluation team reviewing programs includes both higher education and K-12 faculty experienced in English language learner issues. The bill requires that additionally a member of the team have experience in administering English language learner programs. This would increase the size of the evaluation teams and impose additional costs on the Commission.

Fiscal Analysis

This measure would impose significant costs on the Commission for evaluation of new programs, to preparation programs for the design and implementation of new courses and for students who would be required to complete more units for their credential programs.

Analysis of Relevant Legislative Policies by the Commission

The following Legislative policy applies to this measure:

4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates, and opposes legislation which would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.

5. The Commission supports legislation which strengthens or reaffirms initiatives and reforms which it previously has adopted, and opposes legislation which would undermine initiatives or reforms which it previously has adopted.

Organizational Positions on the Bill

Support

No known support on this version of the bill.

Oppose

No known opposition on this version of the bill.

Reason for Suggested Position

OPPOSE— Commission staff is recommending the Commission oppose this bill.

Bill Analysis

California Commission on Teacher Credentialing

Bill Number:	AB 2160
Authors:	Assemblymembers Goldberg, Wesson, Strom-Martin
Sponsor:	California Teachers Association
Subject of Bill:	Public School Employees: Scope of Collective Bargaining
Date Introduced:	February 20, 2002
Last Amended:	April 11, 2002
Status in Leg. Process:	Assembly Floor
Current CTC Position:	Oppose
Recommended Position:	Oppose Unless Amended
Date of Analysis:	April 26, 2002
Analyst:	Leyne Milstein

Summary of Current Law

Existing law provides public school employees the right of representation on all matters of employer-employee relations and limits the scope of representation to matters relating to wages, hours of employment, and other terms and conditions of employment, as defined. Existing law also provides that the exclusive representative of certificated personnel has the right to consult on the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks, as provided.

Section 44279.1 of the Education code established the California Beginning Teacher Support and Assessment System (BTSA) for first and second year teachers. This program, among other purposes, was established to provide an effective transition into teaching for beginning teachers, improve the educational performance of pupils, and ensure the professional success and retention of new teachers.

Summary of Current Activity by the Commission

The Commission co-administers the BTSA program with the California Department of Education. In order for BTSA programs to receive Commission approval and funding, they must demonstrate that they satisfy Commission adopted program standards. In this model, BTSA program content is at the discretion of the participating school district to the extent that the content satisfies BTSA program standards.

Currently, participation in BTSA or alternative induction programs is at the discretion of the employing school district. However, pursuant to the implementation of SB 2042 (Alpert/Mazzoni, 1998), beginning as early as Fall 2003, participation in and successful completion of BTSA or another Commission approved induction program will be required to receive a professional clear teaching credential (Education Code section 44279.4).

The Commission administers the Pre-Intern and Intern programs. The Pre-Intern program provides support and assistance to candidates who are teaching while they work to satisfy subject matter requirements. The intern program provides support and teacher preparation coursework, ultimately leading to a preliminary teaching credential. There are currently 10,600 participants in the Pre-intern program and 7,500 participants in the Intern programs (includes University and district intern programs).

Analysis of Bill Provisions

This bill would expand the scope of representation for the exclusive representative of (a) certificated personnel employed by a school district, (b) a county superintendent of schools, or (c) a charter school that has declared itself to be a public school employer, to the extent these matters are within the discretion of the public school employer under the law to include:

- Utilization and assignment of mentors.
- Selection of an external evaluator under the Immediate Intervention/Underperforming Schools Program.
- Selection of a school assistance and intervention team under the High Priority Schools Grant Program for Low Performing Schools.
- Procedures for all of the following:
 - Development and implementation of any program designed to enhance pupil academic performance.
 - Development and implementation of the content and delivery of professional training and development for certificated employees.
 - Selection of textbooks and instructional materials.
 - Development and implementation of local educational standards.
 - Development and implementation of the definition of educational objectives, content of courses, and curriculum.
 - Participation of certificated employees on school site councils and any other advisory or representative body established in the school district.
 - Development and implementation of any program to encourage parental involvement in student education.
 - Maintenance of school facilities.
- Other professional issues.

In addition, the exclusive representative of certificated personnel has the right to consult on other matters not within the scope of representation to the extent those matters are within the discretion of the public school employer under the law. All matters not specifically enumerated are reserved to the public school employer and may not be a subject of meeting and negotiating, provided that nothing herein may be construed to

limit the right of the public school employer to consult with any employees or employee organization on any matter outside the scope of representation.

When an issue is within the scope of bargaining, an employer may not take action on that subject without completion of the following:

- Provide adequate notice to the union of the intent to take action;
- Upon request, provide the union the opportunity to negotiate the intended action;
- Upon receipt of the request, make public at a public board meeting the respective initial proposals on the topic by both the union and the employer or at least, notify the public that this topic has arisen during the conduct of negotiations;
- Schedule negotiations with the union and provide paid release time for a reasonable number of teachers who will serve on the union's bargaining team;
- Conduct negotiations until an agreement is reached or the employer decides not to implement the issue of discussion or an impasse is reached;
- If an impasse is reached, mediation and potentially a fact-finding process;
- If fact finding fails and neither side is willing to move, the employer may act on the topic. If either side is willing to move, negotiations must continue. If a second impasse is reached, the employer may act unilaterally.

Analysis of Relevant Legislative Policies by the Commission

The following Legislative policies may apply to this measure:

- 1. The Commission supports legislation which proposes to maintain or establish high standards for the preparation of public school teachers and other educators in California, and opposes legislation that would lower standards for teachers and other educators.**
- 4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates, and opposes legislation which would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.**
- 5. The Commission supports legislation which strengthens or reaffirms initiatives and reforms which it previously has adopted, and opposes legislation which would undermine initiatives or reforms which it previously has adopted.**

Analysis of Fiscal Impact of Bill

This measure will not result in additional costs to the Commission. However, expansion of the collective bargaining process could result in additional State costs resulting from the increased length of time to resolve a larger number of issues. It is likely that these costs would come from educational funds guaranteed by Proposition 98, resources that would otherwise be used to support instructional programs.

Organizational Positions on the Bill

This measure is sponsored by the California Teachers Association.

Over 150 associations, school districts, county offices of education and local school boards registered opposition to this measure when it was heard in the Assembly Education Committee on April 24, 2002.

Suggested Amendments

The following amendments would ensure that teacher preparation and licensure are not subject to the process of collective bargaining:

Add language specifying that Government Code section 3543.2 (A) does not apply to the utilization and assignment of mentors or program support providers as defined in Education Code Sections 44279.5, 44305 and 44326 or to professional development as defined in Education Code section 44279.1.

Amend Section 3543.2 of the Government Code as follows:

- (A) The utilization and assignment of mentors.
- (B) The selection of an external evaluator or other entity as provided by subdivision (a) of Section 52054 of the Education Code.
- (C) The selection of a school assistance and intervention team as provided by paragraph (1) of subdivision (e) Section 52055.650 of the Education Code.
- (D) The procedures for all of the following:
 - (i) The development and implementation of any program designed to enhance pupil academic performance.
 - (ii) The development and implementation of the content and delivery of professional training and development for certificated employees who hold a professional clear teaching credential.
 - (iii) The selection of textbooks and instructional materials.
 - (iv) The development and implementation of local educational standards.
 - (v) The development and implementation of the definition of educational objectives, content of courses, and curriculum.
 - (vi) The participation of certificated employees on school site councils and any other advisory or representative body established in the school district.
 - (vii) The development and implementation of any program to encourage parental involvement in student education.
 - (viii) The maintenance of school facilities.
 - (ix) Other professional issues.

Reason for Suggested Position

Collective bargaining, by its nature, is a process to improve the working conditions of those represented. It was never intended as a tool to improve education for the students because the unions' primary focus is the concern of its member teachers – not the students. There are two areas proposed for inclusion in the collective bargaining process in AB 2160 that are cause for concern. Specifically:

- The utilization and assignment of mentors;
- Development of procedures for:

- the development and implementation of any program designed to enhance pupil academic performance;
- the development and implementation of the content and delivery of professional training and development for certificated employees; and
- the development and implementation of local educational standards.

Each of these areas presents a situation whereby the process of collective bargaining could impact the development and implementation of Commission run programs including BTSA, the Pre-intern program and the Intern program. This could ultimately affect a credential candidates' ability to complete both preliminary and professional clear credential requirements.

There are currently 145 BTSA programs, 49 of which are run as consortia that serve many school districts. The largest of these consortia serves 57 different school districts. As currently drafted, this measure could ultimately subordinate this particular BTSA program to the resolution of the smallest local labor dispute at 57 bargaining tables. Even if all 57 districts were able to resolve their individual collective bargaining issues, it is very unlikely that the BTSA consortia would be able to implement these decisions into an effective coherent program.

Further, as completion of BTSA becomes a requirement to receive a professional clear credential pursuant to SB 2042, to the extent that resolution of collective bargaining delays implementation of BTSA programs, candidate licensure will also be delayed. Collective bargaining has already had an impact on the implementation of BTSA. The Peer Assistance and Review program (PAR) is currently subject to collective bargaining. In one large school district, PAR took over selection of BTSA mentors. In that same district collective bargaining wasn't concluded until eight months into the school year, thus, there was no support for beginning teachers in that school year.

Another example of the unintended consequences that collective bargaining has already had on the BTSA program results from the terms for being a BTSA support provider being subject to collective bargaining. Several district contracts limit the time teachers can serve as support providers to three years. This arbitrary limit has been established because support providers are paid additional money to serve in that capacity and the union wants to give all teachers a chance to serve as a support provider. Program data concludes that it takes at least two years to become a fully trained support provider, and that the third year is just when support providers are just becoming proficient. In this case, there is no regard to the appropriate training of the support providers for the BTSA participant and there have been several occasions when first year teachers have suffered because they did not have the support of a fully trained provider. There are also situations when teachers transitioning to their second year of BTSA must change to a new support provider, as a result of this contract time limit, who are not prepared to support them through their second year of the program. In these cases, collective bargaining has, in the end, weakened teacher training.

By the same token, this measure could also impact the development and implementation of pre-intern and intern programs should teacher training and mentoring be brought into the domain of collective bargaining. Education Code section 44326 (d) requires that interns:

“...teach with the guidance of certificated employees of the district who have been classified as a mentor teacher under Article 4 (commencing

with Section 44490) of Chapter 3 or with the assistance and guidance of certificated employees selected through a competitive process adopted by the governing board after consultation with the exclusive teacher representative unit or by personnel employed by institutions of higher education to supervise student teachers.”

With respect to the pre-intern program, Education Code sections 44305 (d) (7) requires the Commission to determine the role of personnel, including experienced teachers with permanent status, in the delivery of pre-intern preparation and support. Generally, pre-intern support providers come from the candidate pool as the mentors for the Intern and BTSA programs. In fact, the position of support provider for the pre-intern program is often the most challenging position to fill because pre-interns often require a higher level of support than interns and BTSA participants. To the extent that collective bargaining, by its nature, focuses on the needs of the represented teachers, it could impact the ability to ensure that the most qualified/trained support providers are available for the programs and teacher candidates that need them.

When you put licensure in the middle of collective bargaining, what happens to the individual candidate if the union implements a “work-to-rule” position during arbitration or mediation? What if the union strikes? There is no other profession that has licensure linked to collective bargaining and it is not fair to hold up a candidate from satisfying credential requirements or limit the ability to provide the best possible support and mentoring as a result of unresolved collective bargaining issues.

As drafted, AB 2160 could severely impact the ability of credential candidates to satisfy the requirements for a both the preliminary and professional clear credentials as a result of unresolved collective bargaining issues. Licensure must remain independent of the issues and disputes related to collective bargaining. For this reason, staff recommends an Oppose Unless Amended position on this bill.

If all of the proposed amendments are adopted, staff will return to the Commission to determine what, if any, position the Commission would like to adopt on AB 2160.

Bill Analysis

California Commission on Teacher Credentialing

Bill Number:	Assembly Bill 2566
Author:	Assembly Member Pavley
Sponsor:	Author
Subject of Bill:	Expansion of pre-internship teaching program
Date Introduced:	February 21, 2002
Date Amended:	April 18, 2002
Status in Leg. Process:	Assembly Committee on Education
Current CCTC Position:	None
Recommended Position:	Support
Date of Analysis:	April 25, 2002
Analyst:	Dan Gonzales

Summary of Current Law

AB 351 (Scott, Chapter 934, Statutes of 1997) created the California Pre-internship Teaching Program. This program provides early, focused, and intensive preparation in the subject matter that teachers are assigned to teach, classroom management, pupil discipline, and basic instruction methodologies. The pre-intern certificate holder takes the appropriate subject matter examination or is enrolled in a subject matter program toward completion of a credential. The Pre-intern Teaching Certificate is an alternative to the emergency permit. In 2001-02 the Pre-intern Program will serve 10,534 pre-interns in 450 districts and county offices of education.

The Pre-intern Program is for individuals:

- Who have not met the subject-matter competence requirement for entry into a credential program.
- Pursuing a Multiple Subject Teaching Credential, Education Specialist Instruction Credential, or Single Subject Teaching Credential.
- Who completed a bachelor's degree and passed CBEST

Pre-internships are only offered by participating school districts and county offices and are partially paid for by state grants. The state awards grants for training and support at \$2,000 per pre-intern per year to school districts and county offices of education that are selected through a competitive grant process.

Summary of Current Activity by the Commission

Support improves pre-intern retention. The Pre-intern Program may help to lower teacher attrition rates by better preparing teachers just entering the field. In the first two years of the Pre-intern Program, almost 90% of all pre-interns were retained for a second year, as opposed to about 65% of first-year emergency permit teachers according to Commission statistics. As many as one-third of emergency permit holders in a given year are lost through attrition. In program surveys and interviews of pre-interns conducted during the last 3 years, the majority reported that support and assistance from the Pre-intern Program are the primary factors in their decision to remain in teaching.

Improves instruction, particularly in rural and inner-city schools. Lacking enough fully qualified teachers for all students, investing in the future of pre-interns increases the likelihood that students will learn from teachers who know their subjects, and increases the pool of teacher candidates.

In 1998-99 there were 103 school districts that employed 20% or more of their teaching staff on emergency permits. These districts are most frequently located in rural and inner-city areas. The Pre-intern Program now serves 58 of the 103 school districts.

The Pre-intern Program has shown an increase in the retention level and quality of teachers still in training. The Commission surveyed a random sample of 800 principals who had pre-interns in their schools during 2000-2001 to determine how principals perceive the teaching effectiveness of pre-interns. Principals rated the pre-interns assigned to their school on how well the pre-intern had performed in the classroom. Of the 800 surveys mailed, 434 (54%) were returned. The results show that 261 principals (60%) rated the pre-intern teacher as performing "better" or "much better than other teachers with a similar amount of experience." This finding indicates that pre-interns are performing better in the classroom than emergency credentialed teachers.

Provides alternate pathway to a credential. The Pre-intern Program is one of the many alternate pathways to earning a professional or preliminary credential.

The numbers of emergency permits is leveling off but still high. For the first time since class size reduction was implemented in California in 1996, the number of emergency permits and credential waivers has decreased from the previous year. From fiscal year 1999-00 to 2000-01 the number of emergency teaching permits (Multiple Subject, Single Subject and Special Education) decreased by 5% and the number of credential waivers decreased by 17%.

Taking into account an increase in the number of certificated staff in California's schools and the decrease in the number of emergency permits, the percentage of emergency permits has decreased from 11.6% in 1999-00 to 10.7% in 2000-01. Credential waivers decreased from 1.1% of the total certificated staff in 1999-00 to .7% in 2000-01.

NCLB. The No Child Left Behind Act (NCLB) reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) providing extra resources for schools. The NCLB incorporates most of the major reforms proposed by President Bush in his framework for education, particularly in the areas of assessment, accountability, and school improvement. Title II of the NCLB authorizes a new state formula grant program that combines the Eisenhower Professional Development State Grants and Class-Size Reduction programs into one program that focuses on preparing, training, and recruiting high-quality teachers. It allows schools increased flexibility to allocate funds among professional development, class-size reduction, and other teacher quality activities without the requirements that are in current law. The NCLB also requires all teachers to be "highly qualified" by the end of the 2005-2006 school year. To carry out the new laws many teacher quality initiatives, the bill allocates \$333.5 million annually to California. Commission and Department of Education staff are working together to prepare the State's plan required under the NCLB.

The NCLB law authorizes:

- State funds to be used to reform teacher and principal certification/licensing requirements, alternative routes to State certification, teacher and principal recruitment and retention initiatives, reforming tenure systems, teacher testing, and merit pay.
- Local funds to be used for teacher and principal recruitment and retention initiatives, signing bonuses and other financial incentives, teacher and principal mentoring, reforming tenure systems, merit pay teacher testing, and pay differential initiatives.

Analysis of Bill Provisions

This measure would:

- Require all school districts and county offices of education to develop and implement a pre-internship teaching program for every teacher serving on an emergency permit by January 1, 2004. The Commission would approve the pre-intern programs.

Comments. This bill would decrease the number of teachers serving on emergency permits by transferring them to a pre-intern program. However, not all teachers serving on an emergency permit should be in a pre-intern program. For example, some experienced out of state teachers need only a

class or two to earn their professional clear credential and do not need the support.

Some districts, particularly small and rural districts, may need to form consortia to serve the pre-interns in their district.

- Require every school district or county office of education that does not implement a pre-internship program to explain in writing to the Commission why a program is not feasible or does not meet their staffing needs.

Comments. In practice, this program would be voluntary because school districts and county offices of education could easily be exempted from this bill's requirements.

- Be subject to an appropriation in the annual Budget Act. If funds are not provided the district or county office of education may voluntarily implement a pre-internship program using available federal funds allocated under Title II of the NCLB.

Comments. This measure could cost as much as \$70 million (assuming all of the 35,000 teacher serving on emergency permits become pre-interns at \$2,000 per pre-intern) in federal or state funds. Although California's 2002-03 budget has not been approved yet additional state funds for the Pre-intern Program will probably not be appropriated given the state's fiscal condition. However, federal funds may be available through the federal NCLB. The amount of federal funding that would be available for the Pre-intern Program has not been determined yet.

Fiscal Analysis

This bill could have a significant fiscal impact on the Commission, depending on the number of districts and county offices of educations and pre-interns that participate. Commission staff estimate that if all emergency permit teachers enter a pre-intern program, this bill could cost as much as \$70 million annually, assuming 35,000 pre-interns at \$2,000 a year. It is important to note that this measure will result in a need for additional funding for the intern program as pre-interns matriculate to the intern program. Commission staff also estimate additional one-time costs of \$15 million to increase capacity for new and existing pre-intern programs at school districts and county offices of education. Commission staff estimate it would cost about \$1.1 million annually for 6 additional professional and 6 support staff, travel, equipment, and related expenses.

However, this bill considers the State's current fiscal condition because it does not impose any new costs unless state or federal funds are available. Some of the \$333.5 million annually appropriated to California in NCLB funds may be used for expansion of the Pre-intern Program.

Moreover, school districts and county offices of education can exempt themselves from the requirements of this measure by notifying the Commission in writing that a pre-intern program does not meet their needs.

Analysis of Relevant Legislative Policies by the Commission

The following Legislative policy applies to this measure:

1. The Commission supports legislation which proposes to maintain or establish high standards for the preparation of public school teachers and other educators in California, and opposes legislation that would lower standards for teachers and other educators.

4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates, and opposes legislation which would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.

5. The Commission supports legislation which strengthens or reaffirms initiatives and reforms which it previously has adopted, and opposes legislation which would undermine initiatives or reforms which it previously has adopted.

Organizational Positions on the Bill

Support

California County Superintendents Educational Services Association

California Federation of Teachers

Oppose

No known opposition on this or earlier versions of the bill.

Suggested Amendments

The Commission is not proposing any amendments.

Reason for Suggested Position

SUPPORT – Commission staff recommends the Commission support AB 2566. This bill would provide support for more pre-interns and improve their retention rate and give them the knowledge, skills and abilities necessary to teach. The measure considers the State's current fiscal condition by imposing the requirement only when state or federal funds are available. The bill also allows school districts and county office of education to decide not to participate if a pre-intern program does not meet their needs.